

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING**

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**TUESDAY, DECEMBER 15, 2009
At 5:30 PM At Town Hall**

Called to order at 5:30 PM

Present: Ric Gillman, Greg Nelson, Ham Ross, Larry Whalen

Absent: Beth Fischlowitz

I. Public Comment None

II. Vouchers Motion to approve vouchers in the amount of \$197,007.75, RG/HR 4A MC

III. Alternative Claims Motion to approve alternative claims in the amount of \$92,342.78
RG/HR 4A MC

IV. Treasurer's Report placed on file by unanimous consent showing a current balance of \$108,924.04.

Motion to move to item IV. D. Harbors on the agenda. RG 4A MC

IV.D. Harbors

1. Recommendation to award a contract for long-range plan/feasibility study. Having just learned that Section 154 grants do not pay for studies, the Harbors Committee seeks authorization to proceed. They have learned that it will take an Act of Congress to change the harbor ~~from a commercial harbor to a shallow draft recreational harbor~~ from a shallow-draft recreational harbor to a commercial harbor. Motion to accept the recommendation of the Harbors Committee and authorize them to proceed in negotiating a contract with JJR. RG/HR 4A MC. Motion to thank the Harbors Evaluation Committee for the work that it has done. [This committee has disbanded.] RG/HR 4A MC

Motion to move to item IX. G. Cafeteria Plan for Employees. RG/LW 4A MC

IX. G. Cafeteria Plan for Employees: Glenn Carlson presentation Glenn Carlson explained the advantages for both the Town and the Town Employees regarding this plan. Motion to adopt a Cafeteria Plan for Town Employees. RG/LW 4A MC Motion to begin the process of establishing a Cafeteria Plan with Vantage Flex LLC as the administrator. RG/HR 4A MC

H. Establishing a line of credit for the Town as opposed to short-term borrowing: Glenn Carlson presentation Carlson answered some questions in this regard, but the item was postponed till the December 29, 2009 RTBM.

Motion to return to item V. Minutes on the agenda. RG/LW 4A MC

V. Minutes

A. 11/30/09 Budgeted Related Issues

1. Public Hearing. Motion to accept as submitted. HR/GN 3A 1Ab. MC
Ric Gillman abstained.

2. Special Town Board Meeting Motion to accept as submitted HR/GN 3A
1Ab MC Ric Gillman abstained.
B. RTBM 12/1/09 Motion to accept as submitted RG/LW 4A MC
C. Public Hearing 12/7/09 Miller Farm Rd. petition to lay a road Postponed till the
12/29/09 RTBM

V. Public Works

A. Parks

1. Cost-Share Agreement with Ashland County Land and Water Conservation Department for the North Shore Park Trail. The Town Foreman, Keith Sowl reports that Ashland County is going to give the Town another \$10,000 [total of \$22,798.49]. Motion to authorize the Town Chair to sign the Agreement. RG/LW 4A MC

B. Roads

1. Town Foreman's Report dated Nov. 7-Dec. 11, 2009 placed on file by unanimous consent.
2. Miller Farm Rd. petition to lay out a road
a. Approval of Chequamegon Bay Engineering quote for Miller Farm Rd. Motion to approve Chequamegon Bay Engineering's quote of \$9500 pending posting of Class I Notice. RG/LW 3A 1Ab MC Ric Gillman abstains.
b. Approval of Miller Farm Rd. survey work Motion to authorize Nelson Surveying to survey Miller Farm Rd. for a cost of up to \$3800. HR/LW 4A. MC
3. Town Road Ordinance and Minimum Standards Motion to adopt as a minimum standard for town roads the diagram submitted by the Town Foreman showing a 66' ROW, a 26' roadway (20' of traveled way), 3' shoulders, 12' ditches and 6 inches of compacted gravel. RG/GN 4A MC
C. MRF Supervisor's Report not available
D. Harbors previously covered
E. Airport
1. Renewal of General Liability Insurance for the airport Motion to renew the insurance for the airport. RG/HR 4A MC

VI. Police

- A. Police Chief's Report dated 12/3/09 placed on file by unanimous consent

VII. Emergency Services

- A. Ambulance Director's Report dated Nov 1-Nov. 30, 2009 placed on file by unanimous consent.

VIII. Committees

A. Zoning

1. Zoning Administrator's report dated Nov. 11- Dec. 11, 2009 placed on file by unanimous consent.
2. Appointment of an alternate to the oning Board of Appeals The town Chair recommends appointing Joe Crawford as alternate #2 for a term ending July 1, 2011. Motion to follow the Chair's recommendation. RG/LW 4A MC
3. Appointment of an alternate to the Zoning Board of Appeals The Town Chair recommends the appointment of Warren Anderson as Chair of Zoning Board of Appeals. [Motion to approve HR/LW 4A MC
4. The Zoning Administrator's official response to Tom Kromroy's five (5) complaints regarding the Town's 17-acre parcel at 3144 North Shore Rd. Discussion; no action taken.

5. Coffin, John, Trustee re: Certified Survey Map to divide 55.97-acre parcel at 4897 Amundsen Lane: Parcel #014-00315-0100. Motion to approve the CSM. RG/HR 4A MC

IX. Town Hall Administration

- A. 2009 Budget Amendment #6 Motion to approve and sign #2009-06 Budget Amendment as presented. RG/LW 4A MC
- B. Town Clerk's Report not available
- C. Winter Transportation Agreement with Madeline Island Ferry Line Motion to approve the Agreement and authorize the Chair to sign. RG/HR 4A MC
- D. Final Agreement: Winter Transportation with Bayfield School District Motion to approve and authorize the Chair to sign. RG/HR 4A MC
- E. Comparison of insurance coverage between Windsleds, Inc. and the Town vis-à-vis windsled operation. Motion to ask the Administrative Assistant to inform the insurance agent of the Town's desire for him to meet with the insurer of Windsleds, Inc. for the purpose of making sure there is adequate coverage. Ric Gillman/Hamilton Ross 4A Motion Carries.
- F. Payment to Library for 670 gallons of propane. Motion to reimburse the library for 670 gallons of propane. RG/HR 4A MC
- G. Previously covered.
- H. Previously covered.
- I. Town policy regarding conduct of personnel when not on Town payroll. Discussion; no action taken.
- J. 2010 Fee Schedule Motion to approve the 2010 Fee Schedule as presented. RG/LW 4A MC
- K. 2010 Ice Road Agreement
 - 1. Temporary Easement agreement with Evan Erickson for winter transportation season. Motion to enter into temporary agreement. RG/HR 4A MC
 - 2. Process for contracting for maintaining the ice road and approaches Motion to approve an agreement between the Town and Windsleds, Inc. for maintenance of the ice road and approaches. RG/LW 4A MC
- L. La Pointe Community Clinic Lease Agreement Motion to enter into and sign the lease agreement that runs till December 31, 2011. RG/LW 4A MC
- M. Approval of 2010 Election Inspectors and Chief Inspectors for term ending December 31, 2011. Motion to approve as presented by the Town Clerk. RG/LW 4A MC Consensus of the Board to authorize the Clerk to pursue the use of high school students as election inspectors.

X. New Agenda Items for Future Meetings

- A. Appointed Officials' Wages: Glenn Carlson memo
- B. Establishing a line of credit for the Town vs. short-term borrowing
- C. Airport Checklists
- D. Public Hearing minutes 12/7/09
- E. MRF Supervisor's Report
- F. Cemetery Lawn Care: possible putting out on bids
- G. 3 ;09-cv-00686-slc Stephanie Zuehlke vs. the Town of La Pointe (Closed Session)
- H. Miller Farm Rd. petition to lay a road
- I. General Code Update
- J. November monthly budget report
- K. Zoning Board of Appeals: appointment of a Chair

XI. Lawsuits and Legal Issues

- A. 04-cv-128 Town of La Pointe vs. Michael Mattingly
- B. 08-cv-109 Winston et.al. vs. the Town of La Pointe
- C. 3:09-cv-00686-slc Stephanie Zuehlke vs. the Town of La Pointe Motion to authorize Mike Fauerbach to represent the Town in this matter. RG/LW 4A MC. Motion to ask Mike Fauerbach to serve as the Town's designated spokesperson in this matter. RG/LW 4A MC

XII. Adjournment at 7:37 PM

Submitted by Patty Hobin, Town Clerk

Approved as corrected on 12/29/09: corrections struck through and underlined.
Patty Hobin, Town Clerk